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AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE

Serial Number: 10/706,311 Filing Date: November 12, 2003

Title: AUTOMATIC PRESCRIPTION DRUG DISPENSER

Dkt: 1326.007US1

IN THE CLAIMS

Please amend the claims as follows.

1. (Currently Amended) An apparatus comprising:

an automatic medication dispensing machine having a loading portion facing an enclosed pharmacy floor space and accessible only to pharmacy service providers such that the pharmacy service providers can place one or more filled prescription containers into the loading portion, the automatic dispensing machine having a dispensing portion accessible facing a public space and accessible by a customer, the machine adapted to dispense the one or more filled prescription containers to the customer in response to a customer request, the customer request including the eustomer entering a one-time use, unique code, which is incapable of being reused into the dispensing machine, the dispensing machine further including a dispensing mechanism to hold each of the one or more filled prescription containers in a first location which is inaccessible to a user while an order is being filled, the dispensing mechanism controlled to release all of the one or more filled prescription containers to a pick-up area accessible to the user only after the order has been entirely filled.

- 2. (Original) The apparatus of claim 1, wherein the machine includes a transfer mechanism to physically move the filled prescription container from the loading portion to the dispensing portion.
- 3. (Original) The apparatus of claim 1, wherein the machine includes an interface member accessible to the pharmacy service providers and used to transfer information about the filled prescription container to a controller of the machine.
- 4. (Original) The apparatus of claim 3, wherein the interface member includes a code reader, such as a bar-code reader to identify a bar code on the filled prescription container.

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5. (Original) The apparatus of claim 3, wherein the interface member includes a keypad to key information identifying the filled prescription container to the controller.

- 6. (Original) The apparatus of claim 1, wherein the dispensing machine is adapted to verify that the container is the proper container for the customer prior to dispensing the container.
- 7. (Original) The apparatus of claim 1, wherein the machine includes a telephone or other communication device to allow a customer to speak to a pharmacist.
- 8. (Original) The apparatus of claim 1, wherein the machine includes a video screen to allow the customer to have a videoconference with a pharmacist.
- 9. (Original) The apparatus of claim 1, further comprising an interface located outside the store which is accessible to a customer and allows the customer to interface with the machine, wherein the machine is coupled to a remote delivery system which can deliver a filled prescription container to a customer outside the store.
- 10. (Original) The apparatus of claim 1, wherein the machine includes means for doing financial transactions such that the customer can pay for the medication before the medication is dispensed.
- 11. (Previously Presented) The apparatus of claim 1, wherein the dispensing mechanism includes a product delivery chute having a product holding portion and a product delivery portion separated by a movable member.
- 12. (Previously Presented) The apparatus of claim 1, wherein the machine is adapted to clear the pick-up area of the machine if a customer leaves any filled prescription containers in the pick-up area.

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13. (Currently Amended) A method comprising:

a pharmacy service provider placing one or more filled prescription containers into a medication dispensing machine;

the machine dispensing the one or more filled prescription containers to a customer in response to a customer request <u>including a one-time use</u>, <u>unique code</u>, <u>which is incapable of being reused</u>; and

the dispensing machine holding each of the one or more filled prescription containers in a first location which is inaccessible to a user while the customer request is being filled, the dispensing machine releasing all of the one or more filled prescription containers to a pick-up area accessible to the user only after the customer request has been entirely filled.

- 14. (Original) The method of claim 13, wherein the pharmacy service provider enters information about the filled prescription container into the machine before placing the filled prescription container into the machine.
- 15. (Original) The method of claim 13, wherein the pharmacy service provider authorizes the machine to dispense medication after the customer enters the customer request.
- 16. (Currently Amended) A pharmacy configuration comprising: one or more pharmacy service providers;

a store having an enclosed pharmacy floor space that is secured against unauthorized entry and a public space; and

an automatic medication dispensing machine having a loading portion facing the enclosed pharmacy floor space and accessible only to the pharmacy service providers, such that the pharmacy service providers can place one or more filled prescription containers into the loading portion, the automatic dispensing machine having a dispensing portion accessible facing the public space and accessible by a customer, the machine adapted to dispense the one or more filled prescription containers to the customer in response to a customer request, wherein the dispensing machine further includes a dispensing mechanism to hold each of the one or more

filled prescription containers in a first location which is inaccessible to a user while an order is being filled, the dispensing mechanism controlled to release all of the one or more filled prescription containers to a pick-up area in a second location, which is accessible to the user only after the order has been entirely filled.

- 17. (Original) The pharmacy configuration of claim 16, wherein the customer request includes a one-time, unique, prescription-specific code entered into the automatic dispensing machine.
- 18. (Original) The pharmacy configuration of claim 16, further including a counseling area with a means of electronic communication so that pharmacy customers may receive counseling from a pharmacist in a remote location using the means of electronic communication.
- 19. (Original) The pharmacy configuration of claim 16, wherein the pharmacy service provider can take a container from the dispensing machine and give it to a customer or customer's representative.
- 20. (Original) The pharmacy configuration of claim 16, wherein one of the pharmacy service providers provides the customer with a unique code that the customer enters into the dispensing machine to obtain the container.
- 21. (Currently Amended) An apparatus comprising:

an automatic medication dispensing machine having a loading portion accessible only to an authorized person such that the authorized person can place filled prescription containers into the machine through the loading portion, the automatic dispensing machine having a dispensing portion accessible by a customer, the machine adapted to dispense a filled prescription container to the customer in response to a customer request including a one-time use, unique code, which is incapable of being reused, wherein the dispensing machine further includes a dispensing mechanism to hold each of the filled prescription containers in a first location which is inaccessible to a user while an order is being filled, the dispensing mechanism controlled to

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release all of the filled prescription containers to a pick-up area accessible to the user only after the order has been entirely filled.

22. (Original) The apparatus of claim 21, wherein the machine includes a transfer mechanism to physically move the filled prescription container from the loading portion to the dispensing portion.

23. (Original) The apparatus of claim 21, wherein the machine includes an interface member accessible to the authorized person and used to transfer information about the filled prescription container to a controller of the machine.

24. (Original) The apparatus of claim 21, wherein the dispensing machine is adapted to verify that the container is the proper container for the customer prior to dispensing the container.

25. (Original) The apparatus of claim 21, wherein the machine includes a telephone to allow a customer to speak to a pharmacist.

26. (Original) The apparatus of claim 21, wherein the machine includes a video screen to allow the customer to have a videoconference with a pharmacist.

27. (Original) The apparatus of claim 21, wherein the machine includes means for doing financial transactions such that the customer can pay for the medication before the medication is dispensed.

28. (Currently Amended) A method comprising:

an authorized person filling a plurality of filled prescription container into an automatic dispensing machine;

the machine dispensing the filled prescription container to a customer in response to a customer request; and

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the dispensing machine holding each of the one or more filled prescription containers in a first location which is inaccessible to a user while the customer request is being filled, the dispensing machine releasing all of the one or more filled prescription containers to a pick-up area at a second location, which is accessible to the user only after the customer request has been entirely filled.

- 29. (Original) The method of claim 28, wherein the authorized person enters information about the filled prescription container into the machine before placing the filled prescription container into the machine.
- 30. (Original) The method of claim 28, wherein the customer performs a financial transaction at the machine before the machine dispenses the filled prescription container.
- 31. (Original) A method comprising:

filling an automatic dispensing machine with a plurality of labeled, filled prescription containers and containers of prescription medication which do not have patient-specific labels on them;

the machine dispensing either the labeled, filled prescription container or the unlabeled prescription medication to a customer in response to a customer request, wherein the unlabeled prescription medication is labeled with patient specific information by the automatic dispensing machine before being dispensed.

32. (Cancelled)